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Docket No. 124155-2 (14049US02)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION OF:

Kienzle III

SERIAL NO.: 09/683,104

FILED: 11/19/2001

FOR: Enhanced Graphic Features for Computer

Assisted Surgery System

ART UNIT: 3737

EXAMINER: Shaw, Shawna Jeannine

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited, with sufficient postage, with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450,

Alexandria, VA 22313-1450, on

October 18, 2004.

Joseph M. Butscher

Reg. No. 48,326

AMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Examiner Shaw:

This paper responds to the Office Action mailed on September 30, 2004. The Applicant respectfully submits that the claims define patentable subject matter.

10/29/2004 GWDDTEN 00000002 070845 0368310. Sale Ref: 0000002 DAH: 070845 03683104 01 FC:2201 44.00 DA The Applicant respectfully submits that claims 1-8 and 18 of the present application should be allowable at least for the reasons discussed above. If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited to contact the undersigned at the number listed below. No fee is believed due with respect to this Amendment. The Commissioner, however, is authorized to charge any necessary fees or credit any overpayment to Account No. 07-0845.

Dated: October 18, 2004

Respectfully submitted,

Toseph M. Butscher Registration No. 48,326 Attorney for Applicant

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